

565017

16

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID J. LEWIS,

Plaintiff,

-VS-

CHRISTOPHER CASSETTE, BRIAN
KLONOWSKI, W. CAMPBELL, and CITY OF
SOUTHGATE, jointly and severally,

Defendants.

FORMER CA NO.: 07-733202-NO

Case: 5:08-cv-10818
Judge: O'Meara, John Corbett
Referral MJ: Morgan, Virginia M
Filed: 02-28-2008 At 12:18 PM
REM LEWIS V. CITY OF SOUTHGATE ET A
L (DA)Amos E. Williams P39118
Thomas E. Kuhn P37924
Attorneys for Plaintiff
615 Griswold, Ste. 115
Detroit, MI 48226
(313) 963-5222JOHNSON, ROSATI, LaBARGE,
ASELTINE & FIELD, P.C.
By: Margaret T. Debler P43905
Attorney for Defendants
34405 W. 12 Mile Rd., Ste. 200
Farmington Hills, MI 48331-5627
(248) 489-4100**NOTICE OF REMOVAL**TO: The Honorable Judge of the United States
District Court for the Eastern District
of Michigan, Southern DivisionDefendants, CHRISTOPHER CASSETTE, BRIAN KLONOWSKI, WILLIAM CAMPBELL, AND
THE CITY OF SOUTHGATE, by their attorneys, JOHNSON, ROSATI, LaBARGE, ASELTINE &
FIELD, P.C., respectfully show this Court:

1. That on December 18, 2007, the above-entitled action was started against these Defendants in Wayne County Circuit Court, Civil Action Number 07-733202-NO, and is now pending there.

2. That on January 29, 2007, these Defendants were served with a Summons and Complaint.

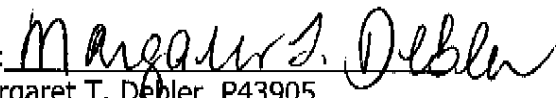
3. That the above-entitled action is a civil action wherein Plaintiff is claiming that the negligent or intentional acts of these Defendants were committed under color of law and that those acts, in violation of 42 USC 1983, deprived the Plaintiff of his rights, privileges and immunities guaranteed to a citizen of the United States and deprived Plaintiff of rights guaranteed by various amendments to the Constitution of the United States, as more fully set forth in the attached Complaint.

4. That this Court has original jurisdiction of the above-entitled cause pursuant to 28 USC 1331 and that the action may therefore be removed to this Court pursuant to 28 USC 1441, et seq.

5. That copies of the Summons and Complaint served on these Defendants in the above-entitled action are filed herewith.

6. That this Notice is filed with this Court within thirty days after service on these Defendants of the Summons and Complaint in the above-entitled action.

JOHNSON, ROSATI, LaBARGE,
ASELTINE & FIELD, P.C.

BY: 
Margaret T. Debler P43905
Attorney for Defendants
34405 W. 12 Mile Rd., Ste. 200
Farmington Hills, MI 48331-5627
(248) 489-4100

DATED: February 28, 2008

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID J. LEWIS,

Plaintiff,

FORMER CA NO.: 07-733202-NO

-vs-

CHRISTOPHER CASSETTE, BRIAN
KLONOWSKI, W. CAMPBELL, and CITY OF
SOUTHGATE, jointly and severally,

Defendants.

Case: 5:08-cv-10818
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REM LEWIS V CITY OF SOUTHGATE ET A
L (DA)

Amos E. Williams P39118
Thomas E. Kuhn P37924
Attorneys for Plaintiff
615 Griswold, Ste. 115
Detroit, MI 48226
(313) 963-5222

JOHNSON, ROSATI, LaBARGE,
ASELTINE & FIELD, P.C.
By: Margaret T. Debler P43905
Attorney for Defendants
34405 W. 12 Mile Rd., Ste. 200
Farmington Hills, MI 48331-5627
(248) 489-4100
_____ /

PROOF OF SERVICE

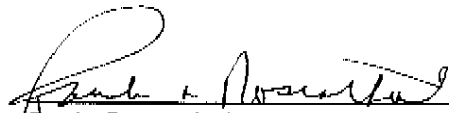
Paula Rosenthal, being duly sworn, deposes and says that on the 28th day of

February, 2008, she served a copy of:

NOTICE OF REMOVAL

On: Amos E. Williams
615 Griswold, Ste. 115
Detroit, MI 48226

by placing a copy of said documents in an envelope addressed to said addressee(s) and
placing same in the U.S. Mails with proper postage affixed thereon.


Paula Rosenthal

STATE OF MICHIGAN
THIRD CIRCUIT COURT



**SUMMONS AND
RETURN OF SERVICE**

CASE NO.

COURT
ADDRESS: 2 WOODWARD AVENUE, DETROIT, MICHIGAN 48226

COURT 2430
TELEPHONE NO. (313) 224-

THIS CASE ASSIGNED TO JUDGE: WARFIELD HODGE

Bar Number: 17939

PLAINTIFF

DEFENDANT

LEWIS DAVID J

PL 01 VS SOUTHEAST CITY OF

DF 005

PLAINTIFF'S ATTORNEY

AMES E. WILLIAMS

(P-37118)

615 GAINWOLD ST STE 1115

DETROIT, MI 48226-3995

313-943-5222

CASE FILING FEE ADDED	JURY FEE PAID
ISSUED 02/28/07	THIS SUMMONS EXPIRES 03/15/08
DEPUTY COUNTY CLERK STERLING HARRISON	

*This summons is invalid unless served on or before its expiration date.

Cathy M. Garrett - Wayne County Clerk

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

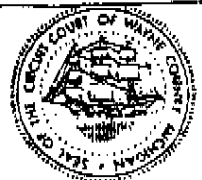
1. You are being sued.
 2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
 3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.
☐ There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.
- The docket number and assigned judge of the civil/domestic relations action are:

Docket no.	Judge	Bar no.

The action ☐ remains ☐ is no longer pending.

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

Signature of Attorney/Plaintiff



COMPLAINT IS STATED ON ATTACHED PAGES. EXHIBITS ARE ATTACHED IF REQUIRED BY COURT RULE.

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangement.

FORM NO. WC101
REV. (1-98)

MC 01 (10/87)

SUMMONS AND RETURN OF SERVICE

MCR 2.102(B)(11), MCR 2.104, MCR 2.107, MCR 2.113(C)(2)(a), (b), MCR 3.206 (A)

RETURN COPY-FILE IN ROOM 201 C.C.B.

STATE OF MICHIGAN
THIRD CIRCUIT COURT



**SUMMONS AND
RETURN OF SERVICE**

CASE NO.

COURT
ADDRESS: 2 WOODWARD AVENUE, DETROIT, MICHIGAN 48226

COURT
TELEPHONE NO. (313) 224-2430

THIS CASE ASSIGNED TO JUDGE: WARFIELD MOORE

Bar Number: 17930

PLAINTIFF

DEFENDANT

LEWIS DAVID J

PL 01 VS CASSETTE CHRISTOPHER

DF 002

PLAINTIFF'S ATTORNEY

ANDREW E. WILLIAMS
(P-39118)
615 GRISHOLD ST STE 1113
DETROIT, MI 48206-3990
313-963-5822

CASE FILING FEE
PAID

JURY FEE
PAID

ISSUED

12/18/07

THIS SUMMONS EXPIRES

03/13/08

DEPUTY COUNTY CLERK

STERLING HARRISON

This summons is invalid unless served on or before its expiration date.

Cathy M. Garrett - Wayne County Clerk

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Docket no.

Judge

Bar no.

The action ☐ remains ☐ is no longer pending.

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

Date: 02/28/08

Signature of attorney/plaintiff



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If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

STATE OF MICHIGAN
THIRD CIRCUIT COURT

CASE NO.



SUMMONS AND
RETURN OF SERVICE

COURT
ADDRESS: 2 WOODWARD AVENUE, DETROIT, MICHIGAN 48226

COURT
TELEPHONE NO. (313) 224-2430

THIS CASE ASSIGNED TO JUDGE: WARFIELD MOORE

Bar Number: 17938

PLAINTIFF

DEFENDANT

EWIS DAVID J

PL 01 VS KLONOWSKI BRIAN

DF 003

PLAINTIFF'S ATTORNEY

ANDREW E. WILLIAMS
(P-39118)
615 GRISWOLD ST STE 1115
DETROIT, MI 48226-3998
313-763-3222

COURT

CASE FILING FEE
PAID

JURY FEE
PAID

ISSUED
12/18/07

THIS SUMMONS EXPIRES
03/18/08

DEPUTY COUNTY CLERK
STERLING HARRISON

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NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

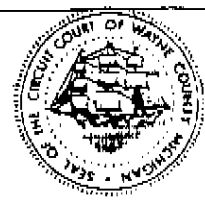
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- The docket number and assigned judge of the civil/domestic relations action are:

Docket no.	Judge	Bar no.
------------	-------	---------

The action ☐ remains ☐ is no longer pending.

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

Signature of attorney/plaintiff



COMPLAINT IS STATED ON ATTACHED PAGES. EXHIBITS ARE ATTACHED IF REQUIRED BY COURT RULE.

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CIRCUIT COURT

CASE NO.

SUMMONS AND
RETURN OF SERVICECOURT
ADDRESS: 2 WOODWARD AVENUE, DETROIT, MICHIGAN 48226COURT
TELEPHONE NO. (313) 224-2430

THIS CASE ASSIGNED TO JUDGE: WARFIELD MOORE

Bar Number: 17938

PLAINTIFF

EWIS DAVID J

PL 01 VS CAMPBELL W

DEFENDANT

DE 004

PLAINTIFF'S ATTORNEY

AMOS E. WILLIAMS

(P-39118)

615 GRISWOLD ST STE 1115

DETROIT, MI 48226-3998

313-963-5222

CASE FILING FEE

PAID

JURY FEE

PAID

ISSUED

12/18/07

THIS SUMMONS EXPIRES

03/18/08

DEPUTY COUNTY CLERK

STERLING HARRISON

*This summons is invalid unless served on or before its expiration date.

Cathy M. Garrett - Wayne County Clerk

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

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☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The docket number and assigned judge of the civil/domestic relations action are:

Docket no.

Judge

Bar no.

NOTICE: The action



remains



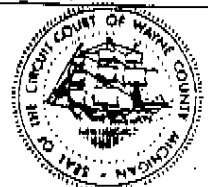
is no longer

pending.

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

Date

Signature of attorney/plaintiff



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OBM NO. MC101
REV. (3-98) MC 01 (10/97)

SUMMONS AND RETURN OF SERVICE

MCR 2.102(B)(11), MCR 2.104, MCR 2.107, MCR 2.113(O)(2)(a), (b), MCR 3.208 (A)

PLAINTIFF

JURY FEE PAID
DEC 18 2007

STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT

DAVID J. LEWIS,

Plaintiff,

v.

07-733202 NO 12/18/2007
JDG:WARFIELD MOORE
LEWIS DAVID J
VS
CASSETTE CHRISTOPHER

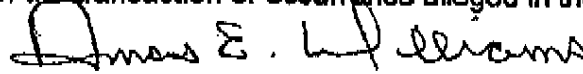
**CHRISTOPHER CASSETTE, BRIAN
KLONOWSKI, W. CAMPBELL, and
CITY OF SOUTHGATE, jointly and
severally,**

Defendants.

AMOS E. WILLIAMS (P39118)
THOMAS E. KUHN (P37924)
AMOS E. WILLIAMS, P.C.
615 Griswold, Suite 1115
Detroit, Michigan 48226
(313) 963-5222

COMPLAINT and JURY DEMAND

There is no other resolved or pending action arising out
of the transaction or occurrence alleged in the complaint



Amos E. Williams (P39118)

NOW COMES the Plaintiff through his attorneys and for his complaint against the
Defendants say:

1. The Plaintiff is a resident of Wyandotte, Michigan.
2. The Defendant CITY OF SOUTHGATE is a municipal corporation located in Wayne
County, Michigan and operating pursuant to and subject to the laws of the State of
Michigan and the Michigan Constitution.

C:MAJOR
ADMIN
ATTY (CASSIN)
COUNCIL
POLICE
FINANCE D. WESBRO
2:0

3. The Defendant officers were on duty police officers of the City of Southgate Police Department.
4. The events giving rise to this complaint occurred on and after December 30, 2005, in the City of Southgate, County of Wayne, State of Michigan.
5. The Plaintiff seeks damages in excess of Twenty-five Thousand Dollars (\$25,000).

ALLEGATIONS OF FACT

6. On December 30, 2005, the Plaintiff was waiting to be picked up by his friend at a bar in the area of Toledo-Dix Road and Eureka Road in Southgate.
7. When the Plaintiff stepped outside the bar to make a phone call on his cell phone, he observed Defendant CASSETTE sitting in his squad car in the bar parking lot.
8. Plaintiff made his phone call and returned to the bar having been unable to reach his party.
9. Approximately forty-five (45) minutes later, the Plaintiff left the bar to go home and observed Defendant CASSETTE and another Defendant Officer still sitting in the parking lot.
10. Plaintiff declined a ride home from friends because he did not want Defendant CASSETTE stopping anyone because Plaintiff was in the car.
11. Plaintiff walked across Dix Road to get away from the immediate area and avoid the harassment that he felt sure would be forth coming if he stayed.
12. The Plaintiff was not intoxicated.
13. The Plaintiff did not urinate on any cars or bushes or anything else.

14. When the Plaintiff left the parking lot, he walked across the street (Dix Road) and did not stop in the middle of the street and shout obscenities or curse at the Defendants or anyone else.
15. After crossing the street, Plaintiff heard a car squealing into the restaurant parking lot behind him and he ran.
16. Plaintiff was subsequently arrested and handcuffed.
17. After being handcuffed, the Plaintiff was kneed several times.
18. While handcuffed and on the ground the Plaintiff was tased.
19. After the Plaintiff was placed into a squad car he was struck several times by Defendant CAMPBELL.
20. Plaintiff was arrested and charged based upon deliberately fabricated evidence by the Defendants.
21. As a direct and proximate result of the Defendants' actions, the Plaintiff suffered injuries and damages including but not limited to:
 - a. Physical pain and suffering,
 - b. Humiliation, anxiety and emotional harm,
 - c. Unlawful Incarceration,
 - d. Legal expenses,
 - e. Medical expenses, and
 - f. Loss of income.

**COUNT I
FALSE ARREST**

22. Plaintiff re-alleges all prior paragraphs.

- 23. Plaintiff was arrested without warrant or probable cause based upon deliberately fabricated evidence.
- 24. The conduct of the Defendants was intentional and deliberate.
- 25. As a direct and proximate result of the Defendants conduct, the Plaintiff suffered injuries and damages as set forth in paragraph 21.

WHEREFORE, Plaintiff demands judgment against the Defendants for whatever amount, in excess of Twenty-five Thousand Dollars (\$25,000), that a jury shall determine together with interest, costs, attorney fees and exemplary damages.

**COUNT II
ASSAULT AND BATTERY**

- 26. Plaintiff re-alleges all prior paragraphs.
- 27. Plaintiff was unlawfully arrested by the individual Defendants without warrant or probable cause based upon deliberately fabricated evidence.
- 28. During the course of that arrest the Defendant officers used greater force than was necessary to effect the unlawful arrest.
- 29. The actions of the Defendants in kicking, kneeling, punching, and tasing the Plaintiff was not consented to by Plaintiff, was not justified in law and was not incident to a lawful arrest.
- 28. The conduct of the Defendants was intentional and deliberate.
- 29. The conduct of the Defendants created in the Plaintiff a fear and apprehension of a harmful or offensive bodily contact.
- 30. As a direct and proximate result of the Defendants conduct, the plaintiff suffered injuries and damages as set forth in paragraph 21.

WHEREFORE, Plaintiff demands judgment against the Defendants for whatever amount, in excess of Twenty-five Thousand Dollars (\$25,000), that a jury shall determine together with interest, costs, attorney fees and exemplary damages.

**COUNT III
VIOLATION OF 42 USC §1983**

31. Plaintiff re-alleges all prior paragraphs.
32. Defendant officers were on duty police officers acting under color of law.
33. The conduct of the Defendant Officers violated the Plaintiff's clearly established rights under the 1st and 4th Amendments to the United States Constitution including but not limited to the following:
 - a. The right to be free from excessive force during the course of an arrest;
 - b. The right not to be arrested without probable cause;
 - c. The right not to be incarcerated or prosecuted based upon fabricated evidence and without probable cause.
 - d. The right to criticize police officers without suffering retaliation.
 - e. The right to speak freely without suffering retaliation.
34. The Defendant CITY is a municipal corporation which is subject to suit as a person for purposes of 42 USC §1983.
35. The Defendant CITY is liable for its customs, policies and practices which are deliberately indifferent to the rights of citizens and which directly resulted in the injury to the plaintiff.
36. The Defendant CITY'S customs, policies and practices in this case include but are not limited to:

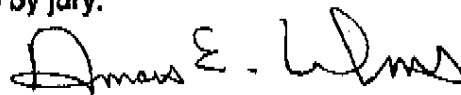
- a. Failure to supervise and discipline its officers to prevent unlawful injury to citizens;
- b. Failure to train its officers to refrain from violating the privileges and immunities of citizens;
- c. Negligent hiring and/or retention of officers known to act unlawfully;
- d. Conducting sham investigations that shield its officers from scrutiny and liability for unlawful conduct;
- e. Toleration of the Blue Curtain or Code of Silence that effectively promotes the perpetuation of unlawful conduct.

37. As a direct and proximate result of the Defendants' conduct, the Plaintiff suffered injuries and damages as set forth in paragraph 21.

WHEREFORE, Plaintiff demands judgment against the Defendants for whatever amount, in excess of Twenty-five Thousand Dollars (\$25,000), that a jury shall determine together with interest, costs, attorney fees, remedies available under 42 USC §1988 and punitive damages.

JURY DEMAND

The Plaintiff demands trial of his cause by jury.



Amos E. Williams (P39118)
Attorney for Plaintiff
615 Griswold, Suite 1115
Detroit, Michigan 48226-3998
(313) 963-5222

Dated: December 18, 2007

CIVIL COVER SHEET

This cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by the rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

David J. Lewis

(b) County Of Residence Of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

Wayne

(c) Attorney's (Firm Name, Address And Telephone Number)

Amos E. Williams
615 Griswold, Ste. 115,
Detroit, MI 48226
(313) 963-5222

DEFENDANTS

City of Southgate, Brian Klonowski, Christopher Cassette, William Campbell

County Of Residence Of First Listed Defendant

Wayne

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

Attorneys (If Known)

Margaret T. Debler
34405 W. 12 Mile Rd., Ste. 200
Farmington Hills, MI 48331-5627
(248) 489-4100

- ☐ 1 U.S. Government Plaintiff ☒ Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in item III)

C Case: 5:08-cv-10818
Judge: O'Meara, John Corbett
Ci Referral MJ: Morgan, Virginia M
Filed: 02-28-2008 At 12:18 PM
Ci REM LEWIS V. CITY OF SOUTHGATE ET A
L (DA)

DEF

☐ 4☐ 5☐ 6

IV. NATURE OF SUIT (Place An "X" In One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 363 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 830 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Equipment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	

V. ORIGIN (Place An "X" In One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite The Us Civil Statute under which you are filing (Do Not Cite Jurisdictional Statutes Unless Diversity):

Brief description of cause:

Violation of Civil Rights pursuant to 42 USC 1983

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

(See instructions)

N/A
JUDGE

DOCKET NUMBER

DATE

2/28/08

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IF

JUDGE

MAG. JUDGE

SUBJUNCT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☐ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☐ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
